

# JOURNAL OF THE SENATE

402

Monday, May 16, 1949

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Friday, May 13, 1949.

The President in the Chair.

The roll was called and the following Senators answered to their names:

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. F. Dunkle.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, May 13, 1949, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Rodgers, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following Bill:

S. B. No. 479—A bill to be entitled An Act providing for the financing by counties and municipalities in the State of Florida of certain self-liquidating projects without the incurring of indebtedness or the levy of taxes; providing for the purchase, construction, improvement, extension, betterment, repair, operation and maintenance of bridges, causeways and tunnels by counties and waterworks systems, bridges, causeways, tunnels, harbor and port facilities and parking facilities by municipalities; authorizing the issuance of revenue bonds, payable solely from revenues, to pay the cost of such projects; providing that no debt of any such county or municipality shall be incurred in the exercise of any of the powers granted by this Act, and that no county or municipality shall have the power to levy taxes for the payment of such revenue bonds; providing for the collection of rates, fees, rentals and tolls for the payment of such revenue bonds and for the cost of maintenance, repair and operation of such projects; providing for the execution of trust agreements to secure the payment of such revenue bonds without mortgaging or encumbering any such projects; authorizing the issuance of revenue refunding bonds; and prescribing the powers and duties of counties and municipalities in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

—and recommends that it do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Rodgers, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following Bill:

S. B. No. 480—A bill to be entitled An Act to confer additional powers upon municipalities in the State of Florida in relation to the collection, treatment and disposal of sewage, including industrial wastes; to authorize and empower any such municipality to construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate sanitary sewers

and sewage disposal systems; to authorize the levy of special assessments upon property benefited by the construction or reconstruction of such sanitary sewers; to provide for paying the whole or a part of the cost of a sewage disposal system or systems, of extensions and additions thereto, and of sanitary sewers, by the issuance of either (1) general obligation bonds of such municipality payable from ad valorem taxes or from ad valorem taxes and the proceeds of sewer service charges or special assessments or both, or (2) sewer revenue bonds of such municipality payable solely from sewer service charges or from sewer service charges and special assessments; to provide for the levy of a sufficient ad valorem tax for the payment of general obligation bonds; to provide for the imposition and collection of charges for making connections with the sewer system of such municipality, for the imposition and collection of rates, fees and charges for the use of the services and facilities of such sewage disposal system or systems, for the imposition and collection of rates, fees and charges for the use of the services and facilities of such sanitary sewers, and for the application of such revenues; to authorize and empower any such municipality to require connections with sanitary sewers served or which may be served by any sewage disposal system; to grant to any such municipality power to acquire necessary real and personal property and to exercise the right of eminent domain; to give the consent of the State of Florida to the use of all State lands lying under water which are necessary for the accomplishment of the purposes of this Act; to exempt from taxes and assessments the sewage disposal system of any such municipality; to authorize municipalities to accept grants and contributions in aid of the purposes of this Act; to authorize the pledge of surplus water revenues; to authorize the issuance of sewer revenue refunding bonds; to authorize the combination of the water and sewer systems of any such municipality for financing purposes and the issuance of water and sewer revenue bonds; and to prescribe the powers and duties of municipalities in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

—and recommends that it do pass with Committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Collins, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

H. B. No. 464—A bill to be entitled An Act to provide that all funds on deposit with the State Treasurer under the provisions of Chapter 24441, Laws of Florida, Acts 1947, shall be transferred to the General Revenue Fund to be expended for the purpose of restocking Collier County with tick free deer by the State Livestock Sanitary Board.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Collins, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. No. 289—A bill to be entitled An Act amending Sections 2, 3 and 5, Chapter 23958, Laws of Florida, Acts of 1947, relating to State Officers and Employees Retirement System.

—and the Committee recommends that the Committee Substitute therefor, as returned herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Smith, Chairman of the Committee on Executive

Communications, reported that the Committee had carefully considered the following Bill:

H. B. No. 1363 (1947 Session)—A bill to be entitled An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1939, issued by or on behalf of Highlands Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Smith, Chairman of the Committee on Executive Communications, reported that the Committee had carefully considered the following Bill:

H. B. No. 1364 (1947 Session)—A bill to be entitled An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1939, issued by or on behalf of Special Road and Bridge District No. 1 in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Smith, Chairman of the Committee on Executive Communications, reported that the Committee had carefully considered the following Bill:

H. B. No. 1365 (1947 Session)—A bill to be entitled An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Gulf Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Smith, Chairman of the Committee on Executive Communications, reported that the Committee had carefully considered the following Bill:

H. B. No. 1366 (1947 Session)—A bill to be entitled An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Franklin, Chairman of the Committee on Oil and Natural Resources, reported that the Committee had carefully considered the following Bill:

S. B. No. 649—A bill to be entitled An Act relating to the sovereign lands under waters, or adjacent to waters, that still retain their sovereign land character; located within the territorial limits of the State of Florida. Confirming the title of the State of Florida in, to and over such lands.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with House amendment, for engrossing—

S. B. No. 356—A bill to be entitled An Act relating to authorizing and directing the County Judge of Hillsborough County to collect one (\$1.00) Dollar additional on each fresh water fishing license issued; effective for three year period; to be used by County Commissioners for eliminating hyacinths within said county.

—begs leave to report that the House amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Engrossing Clerk.

And Senate Bill No. 356, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Your Engrossing Clerk to whom was referred, with Senate amendment, for engrossing—

S. B. No. 358—A bill to be entitled An Act amending Section 1 of Chapter 16726, Laws of Florida, Special Acts of 1933, providing for a pension to be paid by the City of Tampa to Dave King, by increasing the amount of said pension.

—begs leave to report that the Senate amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Engrossing Clerk.

And Senate Bill No. 358, contained in the above report, was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with House amendments, for engrossing—

S. B. No. 159—A bill to be entitled An Act relating to the Port of Palm Beach District created by Chapter 7081, Laws of Florida, Acts 1915, and subsequent supplemental and amendatory Acts, including Chapter 17089, Laws of Florida, Acts 1935, changing the name thereof; prescribing salaries; for other purposes; and repealing laws and parts of laws in conflict therewith.

—begs leave to report that the House amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Engrossing Clerk.

And Senate Bill No. 159, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

S. B. No. 441—A bill to be entitled An Act creating a state agency to be known as Florida Board of Parks and Historic Memorials; prescribing its membership, powers and duties; declaring its policy; providing for the employment of a director and other necessary employees and for the fixing of their compensation; the promulgation of rules and regulations and fixing a penalty for the violation thereof; providing for the appointment of advisory councils in the several counties wherein parks or memorials are maintained.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Engrossing Clerk.

And Senate Bill No. 441, contained in the above report, was ordered certified to the House of Representatives.

## ENROLLING REPORTS

May 13, 1949.

Your Enrolling Clerk, to whom was referred—

|              |               |
|--------------|---------------|
| H. B. No. 43 | H. B. No. 105 |
| H. B. No. 44 | H. B. No. 117 |
| H. B. No. 64 | H. B. No. 163 |
| H. B. No. 65 | H. B. No. 175 |
| H. B. No. 68 | H. B. No. 281 |
| H. B. No. 72 | H. B. No. 363 |
| H. B. No. 91 |               |

—begs leave to report same have been signed in open session by the President and Secretary of the Senate and the Speaker and Chief Clerk of the House of Representatives, and this day presented to the Governor for his approval.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Enrolling Clerk of the Senate.

Your Enrolling Clerk to whom was referred—

S. B. No. 281  
S. B. No. 647

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 16, 1949, for his approval.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Enrolling Clerk of the Senate.

Your Enrolling Clerk to whom was referred—

|               |               |
|---------------|---------------|
| S. B. No. 26  | S. B. No. 185 |
| S. B. No. 27  | S. B. No. 221 |
| S. B. No. 60  | S. B. No. 236 |
| S. B. No. 148 | S. B. No. 239 |
| S. B. No. 172 | S. B. No. 294 |

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on May 16, 1949, for his approval.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate  
as Ex Officio Enrolling Clerk of the Senate.

**REPORT OF CONFERENCE COMMITTEE ON  
SENATE BILL NO. 34**

## FLORIDA STATE SENATE

Tallahassee, Florida,  
May 14, 1949.

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

Dear Mr. President:

The Senate conference committee appointed by you to confer with the House conference committee upon Senate Bill No. 34, known as the State-wide No Fence Law, begs leave to report as follows:

We have met on several occasions with the House committee in an effort to reconcile the differences between the House and the Senate upon the provisions of said bill. The House committee was very blunt in stating to the Senate committee that it would not recede in any respect from the action taken by the House and that the Senate would have to accept the

amendments adopted and passed by the House or there would be no bill.

After lengthy discussion, the Senate committee concluded that the House committee would remain adamant and firm in its decision with the exception of a suggested amendment offered by the Senate committee to Section 14 of said bill, which amendment will protect all local or general laws of local application now in effect in many counties in this State.

The Senate committee was faced with the decision of accepting the House amendments or with having no bill at all. Therefore, your Senate committee reluctantly recommends to the Senate that the Senate do concur in the House amendments which, in our opinion, will be a step in the right direction and will be better than no bill at all.

It was agreed upon by the joint committees that a new bill would be prepared in conformity with the House amendments in order to correct several errors appearing in the amendments and the bill itself occasioned by the House amendments, which bill will be introduced in the House as a substitute bill. Upon favorable action by the House, your committee recommends that said substitute bill be adopted by the Senate at the time it comes before the Senate for consideration.

Your committee, having performed its duties, respectfully requests that it be discharged.

Respectfully submitted,

W. A. SHANDS  
A. L. WILSON  
HENRY S. BAYNARD, Chairman,  
Senate Conference Committee.

Senator Baynard moved the adoption of the foregoing Conference Committee Report.

Which was agreed to, and the Conference Committee Report was adopted.

Senator Crary moved that a committee be appointed to escort Zack D. Mosley, creator of the comic strip "Smilin' Jack," a resident of Martin County, to a seat on the rostrum of the Senate.

Which was agreed to.

The President appointed Senators Crary, Wright, and Franklin as the committee.

Senator Shands moved that the rules be waived and Senate Bill No. 306 be recalled from the Committee on Finance and Taxation and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Gautier asked unanimous consent of the Senate to take up and consider Senate Bill No. 306, out of its order, at this time.

Which was agreed to.

S. B. No. 306—A bill to be entitled An Act cancelling all taxes and certain tax certificates and directing the Comptroller of the State of Florida, the Treasurer of the State of Florida, the Board of Commissioners of the Okeechobee Flood Control District, the Board of Commissioners of the Everglades Drainage District, the Tax Collector and Finance Director of the City of Coral Gables, the Tax Collector of the City of Miami and the Clerk of the Circuit Court of Dade County to cancel said certificates and taxes against certain lands in Dade County, Florida, used for school purposes, and to exempt said lands from all further taxes as long as the same are used for school purposes.

Was taken up.

Senator Gautier moved that the rules be waived and Senate Bill No. 306 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 306 was read the second time by title only.

Senator Gautier moved that the rules be further waived and

Senate Bill No. 306 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 306 was read the third time in full.

Upon the passage of Senate Bill No. 306 the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 306 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Boyle moved that House Bill No. 457, now on the Calendar of House Bills on Second Reading, be referred to an appropriate committee for further study.

Which was agreed to and House Bill No. 457 was referred to the Committee on Judiciary "A".

Senator Moore asked unanimous consent of the Senate to take up and consider Senate Bill No. 500, out of its order, at this time.

Which was agreed to.

S. B. No. 500—A bill to be entitled An Act amending Sections 562.02, 569.02 and 569.04, Florida Statutes 1941, as amended, and repealing Sections 569.07, Florida Statutes 1941, all relating to the regulation of vendors licensed under the beverage law, and regulation of dispensing and consuming of liquors and beverages and enforcement thereof; prohibiting of beverages on licensed premises not permitted to be sold under the license and excepting certain licensees therefrom; prohibiting curb drinking of intoxicating liquors; prohibiting club licensees from selling except by the individual drink, and prohibiting club licensees in package store counties from selling except by the package; and repealing Section 569.07, Florida Statutes, 1941.

Was taken up.

Senator Moore moved that the rules be waived and Senate Bill No. 500 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 500 was read the second time by title only.

Senator Moore moved that the rules be further waived and Senate Bill No. 500 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 500 was read the third time in full.

Upon the passage of Senate Bill No. 500 the roll was called and the vote was:

Yeas—37

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Tucker  |
| Baynard       | Gautier  | Pearce   | Walker  |
| Beacham       | Getzen   | Pope     | Wilson  |
| Beall         | Johns    | Ray      | Wright  |
| Boyle         | Johnston | Rodgers  |         |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 500 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur moved that the Senate convene Tuesday night, May 17, 1949, at 8:30 o'clock P. M. for the purpose of considering Pet Bills.

Which was agreed to and it was so ordered.

Senator McArthur moved that when the Senate adjourns at this Session it recess to reconvene at 2:30 o'clock P. M., and remain in session until 4:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

Senator Mathews asked unanimous consent of the Senate to take up and consider Senate Bill No. 592, out of its order, at this time.

Which was agreed to.

S. B. No. 592—A bill to be entitled An Act to establish the public policy of Florida as to fair trade and to protect good will represented by trade-marks, names or brands, against injury by authorizing contracts establishing resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully to advertise and sell such commodities at less than the prices established in the contracts authorized by this Act, whether the person so advertising and selling is or is not a party to such contract, and by providing for actions by the Attorney General to restrain the enforcement of contracts in which the commodities to which said contracts pertain are not in free and open competition with commodities of the same general class.

Was taken up.

Senator Mathews moved that the rules be waived and Senate Bill No. 592 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 592 was read the second time by title only.

The Committee on Judiciary "C" offered the following amendment to Senate Bill No. 592:

In sub-section (c) of Section 5, line 4, (typewritten bill) strike out the figure "7" and insert in lieu thereof the following: "8".

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be further waived and Senate Bill No. 592, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 592, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 592 as amended, the roll was called and the vote was:

Yeas—35

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Leaird   | Shands  |
| Alford        | Crary    | Lindler  | Sheldon |
| Ayers         | Davis    | Mathews  | Smith   |
| Baker         | Franklin | McArthur | Sturgis |
| Beacham       | Gautier  | Moore    | Tucker  |
| Beall         | Getzen   | Pearce   | Walker  |
| Boyle         | Johns    | Ray      | Wilson  |
| Carroll       | Johnston | Rodgers  | Wright  |
| Clarke        | Kung     | Sanchez  |         |

Nays—3

Baynard Pope Shivers

So Senate Bill No. 592 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Leaird—

S. B. No. 700—A bill to be entitled An Act allowing County Judges of certain counties having a population of more than 50,000 to be examined by the State Board of Law Examiners for admission to the practice of law; and providing for certain prerequisites for such examination and admission to practice.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Leaird—

S. B. No. 701—A bill to be entitled An Act to amend the charter of City of Fort Lauderdale and particularly Article 3 of Part XII of Chapter 24514, Laws of Florida, Special Acts of 1947, pertaining to the sale of public property by providing that the City Commission of said city shall have power and authority to sell public property owned by said city to public bodies for public purposes at such price as may be determined by said city commission, and repealing all laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 701 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Leaird moved that the rules be waived and Senate Bill No. 701 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 701 was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 701 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 701 was read the third time in full.

Upon the passage of Senate Bill No. 701 the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 701 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

S. B. No. 702—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of all counties of the State of Florida, having a population of not less than 115,000 and not more than 273,000 inhabitants, according to the last preceding state census, within their discretion, to purchase and operate automobiles as the property of such respective county, for the use of the members of such respective Boards of County Commissioners in the actual performance of their official duties, and to provide in the budgets of such respective counties for the purchase, replacement and operation of such automobiles.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 702 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 702 was read the second time by title only.

Senator Sheldon offered the following amendment to Senate Bill No. 702:

In Section 1, line 2 (typewritten bill), strike out the figures: "115,000" and insert in lieu thereof the following: "135,000".

Senator Sheldon moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sheldon also offered the following amendment to Senate Bill No. 702:

In title of Bill (typewritten bill), strike out the figures: "115,000" and insert in lieu thereof the following: "135,000".

Senator Sheldon moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 702, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 702, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 702, as amended, the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 702 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

By Senator Davis—

S. B. No. 703—A bill to be entitled An Act designating and establishing a certain state road.

Which was read the first time by title only.

Senator Davis moved that the rules be waived and Senate Bill No. 703 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 703 was read the second time by title only.

Senator Davis moved that the rules be further waived and Senate Bill No. 703 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 703 was read the third time in full.

Upon the passage of Senate Bill No. 703 the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 703 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Smith—

S. B. No. 704—A bill to be entitled An Act to fix the compensation of the Supervisor of Registration of Clay County, Florida and to authorize the payment of such compensation from the County General Fund.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 704 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Smith moved that the rules be waived and Senate Bill No. 704 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 704 was read the second time by title only.

Senator Smith moved that the rules be further waived and Senate Bill No. 704 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 704 was read the third time in full.

Upon the passage of Senate Bill No. 704 the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 704 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Leaird—

S. B. No. 705—A bill to be entitled An Act to provide for the taking of a State Census in the County of Broward in the State of Florida.

Which was read the first time by title only.

Senator Leaird moved that the rules be waived and Senate Bill No. 705 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 705 was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 705 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 705 was read the third time in full.

Upon the passage of Senate Bill No. 705 the roll was called and the vote was:

Yeas—38

|               |          |          |          |
|---------------|----------|----------|----------|
| Mr. President | Boyle    | Gautier  | Mathews  |
| Alford        | Carroll  | Getzen   | McArthur |
| Ayers         | Clarke   | Johns    | Moore    |
| Baker         | Collins  | Johnston | Pearce   |
| Baynard       | Crary    | King     | Pope     |
| Beacham       | Davis    | Leaird   | Ray      |
| Beall         | Franklin | Lindler  | Rodgers  |

|         |         |        |        |
|---------|---------|--------|--------|
| Sanchez | Shivers | Tucker | Wright |
| Shands  | Smith   | Walker |        |
| Sheldon | Sturgis | Wilson |        |

Nays—None

So Senate Bill No. 705 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Tucker—

S. B. No. 706—A bill to be entitled An Act to declare, designate and establish a certain state road in Wakulla County, Florida.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Mathews—

S. B. No. 707—A bill to be entitled An Act affecting the government and jurisdiction of the City of Jacksonville; granting the City of Jacksonville police power and exclusive jurisdiction to control and regulate and to issue permits for the operation of motor vehicles for hire over public highways between a terminus in the City of Jacksonville, and a terminus on public property owned by the City of Jacksonville located outside of its corporate limits but within Duval County; exempting such motor vehicles for hire from the jurisdiction, control and regulation of the Florida Railroad and Public Utilities Commission; and repealing all laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 707 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 707 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 707 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 707 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 707 was read the third time in full.

Upon the passage of Senate Bill No. 707 the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 707 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Moore—

S. B. No. 708—A bill to be entitled An Act to provide for the relief of Rodney Whidden, of DeSoto County, Florida, the said Rodney Whidden having been negligently treated and attended by a physician of the University of Florida while said Rodney Whidden was a student at the University of Florida, and entitled to careful and skillful medical treatment by said physician of the University of Florida; whereby said Rodney Whidden was subjected to great expense resulting from such negligent diagnosis, care and treatment.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Brackin—

S. B. No. 709—A bill to be entitled An Act to amend Section 372.74, Florida Statutes, 1941, as amended by Chapter 23090, Laws of Florida, Acts of 1945, relating to cooperative agreement with U. S. Forest Service; penalty; by extending the Act to include other lands; repealing conflicting laws; fixing effective date.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 709 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 709 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 709 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 709 was read the third time in full.

Upon the passage of Senate Bill No. 709 the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 709 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 710—A bill to be entitled An Act prohibiting the entry upon lands and the cutting or removal of timber therefrom without written permission from the owner of such lands or timber; requiring persons so entering and cutting trees or timber to have in their immediate possession said written permit and to exhibit the same to any law enforcement officer on demand; defining the words "person" and "owner", imposing a penalty for its violation.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Beacham—

S. B. No. 711—A bill to be entitled An Act relating to Shawano Drainage District in Palm Beach County, Florida, created by Chapter 11,864, Laws of Florida, Acts of 1927; amending Section 22 of said law so as to permit the Treasurer of the District to collect and receive the annual tax levies of said district in the place of the tax collector and in all respects to perform the duties of the tax collector within the discretion of the Board of Supervisors; also to eliminate the provision requiring the tax collector to give a bond to the Board of Supervisors; amending Sections 26 and 27 of said law so as to provide for the effect of non-payment of taxes of said district, the procedure in such event, and for forfeiture of title to said district for such non-payment; amending Section 59 of said law so as to provide that land against which benefits are assessed may be detached from any unit, or any unit may be amended after confirmation of the Commissioners' report and the issuance of bonds or other obligations payable from taxes or assessments levied upon lands within such unit upon the approval of landowners and bondholders, and providing the procedure in such event, and providing that in such event all assessments, levies, taxes, bonds and other obligations made,

levied, assessed, incurred or issued for or in respect to any unit may be allocated to the amended unit or units upon the approval of landowners and bondholders; validating contracts made by the district and all official acts of the Board of Supervisors made since June 16, 1947; validating the final decree filed in Chancery Cause No. 23736 in the Circuit Court of Palm Beach County, Florida; validating all bonds, notes, and other obligations heretofore issued or authorized to be issued payable from taxes or assessments levied upon lands within the entire district or within any unit or units thereof; validating the annual tax levies heretofore made for the years 1947 and 1948; providing for severability of the provisions of the Act; providing that the Act shall take precedence over any conflicting law to the extent of such conflict; approving the manner of giving notice of intention to apply for this legislation; enacting other provisions relating to this subject; and providing that this Act shall take effect upon its approval by the Governor, or upon its becoming a law without such approval.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 711 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 711 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 711 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 711 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 711 was read the third time in full.

Upon the passage of Senate Bill No. 711 the roll was called and the vote was:

Yeas—38

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Lindler  | Sheldon |
| Alford        | Crary    | Mathews  | Shivers |
| Ayers         | Davis    | McArthur | Smith   |
| Baker         | Franklin | Moore    | Sturgis |
| Baynard       | Gautier  | Pearce   | Tucker  |
| Beacham       | Getzen   | Pope     | Walker  |
| Beall         | Johns    | Ray      | Wilson  |
| Boyle         | Johnston | Rodgers  | Wright  |
| Carroll       | King     | Sanchez  |         |
| Clarke        | Leaird   | Shands   |         |

Nays—None

So Senate Bill No. 711 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Walker—

S. B. No. 712—A bill to be entitled An Act relating to license taxes for professions, occupations and businesses located, managed or conducted within the corporate limits of any municipality in this state; and providing for credit upon any state or county, or state and county, license required equal in amount to seventy-five per cent of any municipal tax paid.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Baynard (By Request)—

S. B. No. 713—A bill to be entitled An Act amending Sections 473.03, 473.09, 473.10, 473.11, 473.19, 473.20, Florida Statutes, 1941, and adding an additional section to Chapter 473, Florida Statutes, 1941, relating to the State Board of Accountancy and its powers, duties, authority and jurisdiction.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Baynard—

S. B. No. 714—A bill to be entitled An Act to provide for

the licensing by the Insurance Commissioner of supervisory general agents and of duly licensed resident agents for insurers writing fire, casualty or surety insurance policies or contracts in this State, to place such lines of insurance with insurers not admitted to do business in this State, under circumstances and conditions and subject to requirements herein prescribed; fixing the annual tax for such licenses, requiring posting of bonds by licensees to secure payment of premium receipts tax herein required, and providing for revocation or suspension of licenses issued hereunder and of resident agent licenses of such agents by the Insurance Commissioner for stated violations, and providing for judicial review of such orders of the Commissioner; fixing premium receipts taxes on premiums charged for such insurance, with certain named exceptions, and requiring collection of such tax by licensees from the insureds, and the reporting and payment by the licensees of such taxes to the Insurance Commissioner; making it unlawful for persons in this State to insure risks in this State with non-admitted insurers except in pursuance of this Act; providing that issuance by an unauthorized insurer of a policy or contract placed by a licensee hereunder shall constitute appointment of such licensee as agent of the insurer for service of process; defining certain terms used in this Act; providing a severability clause; prescribing penalties for violations of this Act; and fixing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senator Collins—

S. B. No. 715—A bill to be entitled An Act amending Section 372.61, Florida Statutes, 1941, providing for the reports and remittances of County Judges; remittances to school fund; repealing conflicting laws and fixing effective date.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Shivers—

S. B. No. 716—A bill to be entitled An Act to amend Section 502.24, Florida Statutes, 1941, relating to standards of qualification for sale of dairy products within municipalities.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senators Johns, Davis, Sanchez and Wright—

Senate Memorial No. 717:

A RESOLUTION TO MEMORIALIZE CONGRESS TO AMEND THE SOCIAL SECURITY ACT TO LIBERALIZE THE RESTRICTIONS ON OTHER INCOME AND RESOURCES IN DETERMINING NEED IN GRANTS TO THE NEEDY AGED, NEEDY BLIND AND DEPENDENT CHILDREN.

WHEREAS, the present Social Security Act required all state plans for aid to the needy aged, needy blind and dependent children to take into consideration other income and resources in determining need for assistance, and

WHEREAS, the present grants to states for old age assistance, aid to the blind and aid to dependent children are wholly inadequate to maintain the recipient in a decent and self-respecting manner, and outside income or resources, however meager, must be considered, thereby reducing grants below minimum standards necessary to maintain such recipients on a minimum basis compatible with our American Standards of living,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the members of the Senate and the House of Representatives of the State of Florida do respectfully memorialize and petition the Congress of the United States to immediately amend the Social Security Act providing for grants to the States for old age assistance, aid to the blind and aid to dependant children so that in determining need as a basis for assistance that the recipients therein shall be permitted to retain not in excess of fifty (\$50.00) dollars per month of their income earned through their personal efforts, and that such income or earnings shall not be taken into consideration in determining their grant upon a need basis.

AND BE IT FURTHER RESOLVED:

That copies of this memorial be immediately transmitted by the Secretary of State to the Senate and House of Representatives of the United States of America and to each senator and representative in Congress from the State of Florida.

Which was read the first time in full.

Senator Johns moved that the rules be waived and Senate Memorial No. 717 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

By Senator Walker—

S. B. No. 718—A bill to be entitled An Act creating and establishing the Florida State Symphony Society; prescribing its powers and duties; providing for the appointment of its governing officers; and providing for office space.

Which was read the first time by title only and referred to the Committee on State Institutions.

By Senator Rodgers—

Senate Joint Resolution No. 719:

A JOINT RESOLUTION DETERMINING THAT A REVISION OF THE CONSTITUTION OF THIS STATE IS NECESSARY, AND PROVIDING FOR A REFERENDUM THEREON AT THE GENERAL ELECTION IN 1950 TO DETERMINE WHETHER THE GENERAL ELECTORS OF THE STATE FAVOR A CONSTITUTIONAL CONVENTION TO REVISE THE STATE CONSTITUTION.

WHEREAS, the present constitution of this state was adopted by the convention of 1885 when this state had a population of 338,406; and

WHEREAS, the population of this state at the most recent census in 1945 was 2,250,061; and

WHEREAS, through numerous amendments the present constitution has become cumbersome and unwieldy; and

WHEREAS, science has made tremendous strides in the fields of manufacturing, transportation, mass communication and allied fields since 1885, so that many of the provisions and much of the underlying philosophy of the present constitution has become outmoded, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. Pursuant to section 2 of article XVII of the state constitution, the legislature of the state has hereby determined by a two-thirds vote of all members of both houses, that a revision of the constitution of this state is necessary.

Section 2. The general electors of the state at the general election in 1950 shall be submitted the following question:

For revision of the state constitution.

Against revision of the state constitution.

The election officials of the state shall be charged with the duty of submitting said referendum question to the general electors in substantially the same manner as amendments to the state constitution are submitted.

Section 3. The secretary of state shall give due notice of the action of the 1949 legislature in determining the necessity for a revision of the state constitution and of said referendum election in accordance with the provisions of section 2, article XVII of the state constitution. Expense of giving such notices shall be paid out of the general revenue fund.

Section 4. If a majority of the electors so voting be in favor of revision the legislature chosen at such general election shall provide by law for a convention to revise the constitution in accordance with the provisions of section 2, article XVII of the state constitution.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senators Sanchez, Smith, Johns, Ayers, Shands, Davis, McArthur, and Lindler—

S. B. No. 720—A bill to be entitled An Act dividing the State of Florida into Congressional Districts; for the election of additional representatives in Congress; and prescribing and setting forth the territorial limits and boundaries of each district.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sanchez—

S. B. No. 721—A bill to be entitled An Act amending Section 17, Chapter 22645, Laws of Florida, Acts of 1945, also designated as Section 210.17, 1947 Cumulative Supplement to Florida Statutes 1941, providing for the enforcement of the Cigarette Tax Act and penalties for violation of said Act; providing a method for persons other than wholesalers possessing unstamped cigarettes to purchase and affix stamps to such cigarettes, and providing penalties for violations of such provisions.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

#### MESSAGE FROM THE GOVERNOR

The following Message from the Governor was received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE

May 14, 1949

*Hon. Newman C. Brackin,  
President of the Senate.  
Tallahassee, Florida*  
Sir:

I have the honor to inform you that I have today filed with the Secretary of State the following Acts, which originated in your Honorable Body, the same having remained in my office for the full Constitutional period of five days and will become laws without my approval:

- S. B. No. 257, Relating to Duval County
- S. B. No. 295, Relating to Escambia County
- S. B. No. 296, Relating to Liberty County
- S. B. No. 297, Relating to Escambia County
- S. B. No. 315, Relating to City of Port Tampa
- S. B. No. 319, Relating to Halifax Drainage District
- S. B. No. 320, Relating to Halifax Drainage District
- S. B. No. 321, Relating to Volusia County
- S. B. No. 322, Relating to Volusia County
- S. B. No. 323, Relating to Halifax Hospital District
- S. B. No. 324, Relating to Sebring
- S. B. No. 352, Relating to Union County
- S. B. No. 361, Relating to Miami
- S. B. No. 362, Relating to Miami
- S. B. No. 363, Relating to Volusia County
- S. B. No. 376, Relating to Lake County
- S. B. No. 377, Relating to County Commissioners
- S. B. No. 378, Relating to Lake County
- S. B. No. 382, Relating to Palm Beach County
- S. B. No. 383, Relating to Palm Beach County
- S. B. No. 386, Relating to Broward County
- S. B. No. 404, Relating to Broward County

And—

S. C. R. No. 231, Relating to veterans of foreign wars

S. C. R. No. 460, Relating to Senators Pepper and Holland

Respectfully,  
FULLER WARREN,  
Governor

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 16, 1949.

*Hon. Newman C. Brackin,  
President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives respectfully requests the return of—

By Senator Baynard—

S. B. No. 28—A bill to be entitled An Act to amend Section 165.01, Florida Statutes, 1941, as amended by Chapter 23656, Laws of Florida, Acts of 1947, relating to number of inhabitants necessary to incorporate a municipal government.

—for the purpose of further consideration.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Baynard moved that Senate Bill No. 28 be recalled from the Secretary of the Senate as Ex Officio Enrolling Clerk, and returned to the House of Representatives, as requested in the preceding Message from the House of Representatives.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 16, 1949.

*Hon. Newman C. Brackin,  
President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted with amendment—

By Senator Baynard—

Senate Concurrent Resolution No. 633:

PROVIDING FOR THE APPOINTMENT BY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF A COMMITTEE TO CONSIST OF THREE MEMBERS FROM EACH BODY TO MAKE A STUDY OF THE INSURANCE LAWS OF THE STATE OF FLORIDA AND OF OTHER STATES AND TO STUDY THE NEEDS OF THE VARIOUS COMPONENT PARTS OF THE INSURANCE INDUSTRY AND THE PUBLIC FOR THE PURPOSE OF RECOMMENDING SUCH REVISION AND CODIFICATION OF THE INSURANCE LAWS OF THE STATE OF FLORIDA AS THEIR STUDY MAY REVEAL TO BE IN THE PUBLIC'S INTEREST AND TO AUTHORIZE THE COMMITTEE TO SPEND FOR NECESSARY PER DIEM AND TRAVELING EXPENSES A SUM NOT TO EXCEED \$5,000.00 WHICH IS HEREBY APPROPRIATED AS LEGISLATIVE EXPENSE.

WHEREAS, many of the laws of Florida regulating the insurance business were passed many years ago when the economy of the state was more simple, and

WHEREAS, the insurance industry in the State of Florida has grown tremendously during the past several years, it is therefore, deemed for the best interest of the public that a study should be made of the laws of this and other states for the purpose of recommending modernization and revision of the insurance code of Florida.

NOW THEREFORE BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA:

That there is hereby created a continuing committee of this Legislature composed of three members of the Senate to be appointed by the President thereof, and three members of the House of Representatives to be appointed by the Speaker thereof, for the purpose of making a study of the insurance laws of the State of Florida and of other states and a study of the needs of the public with regard to the regulation of the insurance industry generally.

The committee shall have authority to appoint a chairman and to call such meetings as it may deem necessary for the purpose of making a complete study of the laws of Florida regulating the insurance industry, the needs of the public and such modern codes as may have been adopted in other states of the Union.

The committee shall have authority to call upon the Insurance Commissioner and his Department for such information as may be of assistance and for such clerical help as may be necessary to carry out their study.

Be it further resolved that the committee shall make such recommendations as it deems necessary for the modernization and revision of the insurance laws of the State of Florida which report the members shall submit to the Legislature at its session in the year 1951.

Which amendment reads as follows:

Add new paragraph to end thereof, as follows:

Be it further resolved that in the event this legislature shall pass the bill known as "Committee Substitute for House Bills 263 and 295 and House Concurrent Resolution No. 217, by the House Committee on Governmental Reorganization," and the same shall become law, then and in such event, the Committee herein created shall call upon the Legislative Reference Bureau and Council thereby established to carry out the study herein provided for.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 633, contained in the above Message, was read in full, together with the House Amendment thereto.

Senator Baynard moved that the Senate do concur in the House Amendment to Senate Concurrent Resolution No. 633.

Which was agreed to and the Senate concurred in the House Amendment to Senate Concurrent Resolution No. 633.

And Senate Concurrent Resolution No. 633, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 16, 1949.

Hon. Newman C. Brackin,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the veto of the Governor to the contrary notwithstanding—

By Messrs. Mathis and Courtney of Bay—

H. B. No. 317 (1949 Session)—An act authorizing and permitting the City of Panama City, in Bay County, Florida, to levy and collect an occupational license tax of not to exceed

one hundred dollars (\$100.00) for the sale of beer and wine, and to exempt said City of Panama City from the provisions of any and all other existing laws limiting municipalities from levying and collecting such occupational license tax.

Proof of publication attached.

—together with the Message of the Governor setting forth his objections to House Bill No. 317 (1949 Session).

—and respectfully requests the concurrence of the Senate therein.

Respectfully,  
LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 317 (1949 Session), contained in the above Message, was read by title, together with the following objections thereto of the Honorable Fuller Warren, Governor of Florida:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 12, 1949

Honorable Perry E. Murray,  
Speaker, House of Representatives,  
Capitol  
Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, House Bill 317, enacted by the Legislature of 1949 and entitled:

"An Act authorizing and permitting the City of Panama City, in Bay County, Florida, to levy and collect an occupational license tax of not to exceed one hundred dollars (\$100.00) for the sale of beer and wine, and to exempt said City of Panama City from the provisions of any and all other existing laws limiting municipalities from levying and collecting such occupational license tax."

At the present time the State of Florida collects \$21,500,000.00 a year from excise and license taxes on the sale of alcoholic beverages. This sum comprises 15.5 per cent of the entire revenue of the State of Florida derived from taxation (this percentage does not include sums contributed to the State by the United States Government).

It can be readily seen that no policy should be established which would be a direct threat to a decrease in the tax monies received by the State of Florida from this source particularly in view of the fact that the cost of state government has necessarily increased and the available sources of state taxation are limited.

The adoption of a policy allowing incorporated cities and towns through special acts of the Legislature to be exempted from the present general law relating to occupational licenses of beverage licenses, whether beer, wine or liquors, would result not only in a direct threat to the revenue of the State of Florida derived from these beverages, but would actually decrease such revenue, and if such special acts became law for a substantial number of incorporated cities and towns of Florida, a potential danger evidenced by numerous other special bills now pending in the present Legislature, this lucrative source of revenue for the State would be seriously decreased to a point that the essential services of government would be discontinued or curtailed.

Respectfully,  
FULLER WARREN,  
Governor.

Senator Shivers moved that the rules be waived and the Senate take up and consider House Bill No. 317 (1949 Session).

Which was agreed to by a two-thirds vote.

The President put the question "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Pending consideration of the question, Senator Ray moved

that House Bill No. 317 (1949 Session) be referred to an appropriate committee for further study.

Which was not agreed to.

The question recurred on the passage of House Bill No. 317 (1949 Session).

Upon the passage of House Bill No. 317 (1949 Session) the roll was called and the vote was:

Yeas—25

|         |          |         |         |
|---------|----------|---------|---------|
| Alford  | Collins  | Leaird  | Shivers |
| Ayers   | Crary    | Lindler | Sturgis |
| Baker   | Davis    | Moore   | Walker  |
| Baynard | Franklin | Pearce  | Wright  |
| Beacham | Gautier  | Pope    |         |
| Beall   | Johnston | Rodgers |         |
| Carroll | King     | Shands  |         |

Nays—11

|               |         |          |         |
|---------------|---------|----------|---------|
| Mr. President | Getzen  | McArthur | Sheldon |
| Boyle         | Johns   | Ray      | Tucker  |
| Clarke        | Mathews | Sanchez  |         |

So House Bill No. 317 (1949 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

#### SENATE BILLS ON SECOND READING

Senate Bill No. 102 was taken up in its order and the consideration thereof was informally passed.

S. B. No. 220—A bill to be entitled An Act to amend Section 685.02, Florida Statutes, 1941, as amended by Section 1, Chapter 23761, Laws of Florida, 1947, relating to the sale of collateral securities and providing that pledgee may be a bidder at such sale, and further providing that notice of the sale thereof may be waived by the pledgor with respect to any stocks, bonds or other securities which are listed upon the New York Stock Exchange, the New York Curb Exchange, the Boston Stock Exchange, the Chicago Stock Exchange, the Philadelphia Stock Exchange, the Pittsburgh Stock Exchange, and the San Francisco Stock Exchange.

Was taken up in its order.

Senator Beacham moved that the rules be waived and Senate Bill No. 220 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 220 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 220 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 220 was read the third time in full.

Upon the passage of Senate Bill No. 220 the roll was called and the vote was:

Yeas—33

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Clarke   | McArthur | Shivers |
| Alford        | Crary    | Moore    | Sturgis |
| Ayers         | Franklin | Pearce   | Tucker  |
| Baker         | Gautier  | Pope     | Walker  |
| Baynard       | Getzen   | Ray      | Wilson  |
| Beacham       | Johns    | Rodgers  | Wright  |
| Beall         | King     | Sanchez  |         |
| Boyle         | Leaird   | Shands   |         |
| Carroll       | Lindler  | Sheldon  |         |

Nays—1

Johnston

So Senate Bill No. 220 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 250 was taken up in its order and the consideration thereof was informally passed.

Senator Sturgis asked unanimous consent of the Senate to take up and consider Senate Bill No. 615, out of its order, at this time.

Which was agreed to.

S. B. No. 615—A bill to be entitled An Act exempting the special Employment Security Administration Fund from all Acts of the 1949 Session of the Legislature, except this Act.

Was taken up.

Senator Sturgis moved that the rules be waived and Senate Bill No. 615 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 615 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and Senate Bill No. 615 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 615 was read the third time in full.

Upon the passage of Senate Bill No. 615 the roll was called and the vote was:

Yeas—34

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Crary    | McArthur | Shivers |
| Alford        | Davis    | Moore    | Smith   |
| Baker         | Franklin | Pearce   | Sturgis |
| Baynard       | Gautier  | Pope     | Tucker  |
| Beacham       | Johns    | Ray      | Walker  |
| Beall         | Johnston | Rodgers  | Wilson  |
| Boyle         | King     | Sanchez  | Wright  |
| Carroll       | Lindler  | Shands   |         |
| Clarke        | Mathews  | Sheldon  |         |

Nays—2

Ayers

Collins

So Senate Bill No. 615 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately by waiver of the rule.

Senate Bills Nos. 50, 171 and 189 were taken up in their order and the consideration thereof was informally passed.

Senate Bill No. 198 was reached in its order and placed at the foot of the Calendar of Bills on Second Reading pursuant to Senate Rule No. 43.

Senate Bills Nos. 267 and 217 were taken up in their order and the consideration thereof was informally passed.

S. B. No. 23—A bill to be entitled An Act requiring testamentary trustees to establish their qualifications, give bond, and file accounts in a supervisory proceeding in the Circuit Court, prescribing the parties to said proceeding, the practice and procedure applicable thereto, and the declaratory and other relief obtainable therein.

Was taken up in its order.

Senator Baynard moved that the rules be waived and Senate Bill No. 23 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 23 was read the second time by title only.

Senator Baynard offered the following amendment to Senate Bill No. 23:

In Section 7, Page 3, line 5 (typewritten bill), strike out the word "suit" and insert in lieu thereof the following: "proceeding" so it will read: "... if such event had happened immediately before the commencement of the proceeding, . . ."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to Senate Bill No. 23:

In Section 7, Page 3, line 12 (typewritten bill), strike out the word "supersory" and insert in lieu thereof the following: "supervisory" so it will read: "... or other kindred parties to the supervisory proceeding, . . ."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ray offered the following amendment to Senate Bill No. 23:

In Section 11, lines 1 and 2 (typewritten bill), strike out the words: "notwithstanding any provisions in the will to the contrary" and insert in lieu thereof the following: "unless bond be specifically waived by the will".

Senator Ray moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard offered the following amendment to Senate Bill No. 23:

In Section 13, Page 4, line 4 (typewritten bill), strike out the word "annual" so it will read: "... that it is an application for the approval of all accounts then on file . . ."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to Senate Bill No. 23:

In Section 16 (typewritten bill) strike out the whole section and insert in lieu thereof the following:

Section 16. FINAL ACCOUNT. When the trustee is ready to make final distribution of the trust property, he shall file a final account and shall set forth therein a proposed final distribution. Notice shall be given as provided by Section 13 and objections shall be determined as prescribed by Section 14. If the court finds that the trust has been properly administered, an order shall be entered approving accounts and directing distribution. Upon report of distribution, as ordered, the court shall enter a final order discharging the trustee and the sureties on his bond and such order shall be conclusive, subject only to the right of appeal.

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to Senate Bill No. 23:

On Page 3, line 5 (typewritten bill), strike out the word "suit" and insert in lieu thereof the following word: "proceeding".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to Senate Bill No. 23:

On Page 3, line 12 (typewritten bill), strike out the word: "supersory" and insert in lieu thereof the following word: "supervisory".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to Senate Bill No. 23:

In Section 13, line 4 (typewritten bill), strike out the word: "annual".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Clarke now presiding.

Senator Baynard moved that the rules be waived and Senate Bill No. 23, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 23, as amended, was read the third time in full.

Pending roll call on the passage of Senate Bill No. 23, as amended, Senator Baynard moved that the hour of adjournment be extended until final disposition of Senate Bill No. 23, as amended.

Which was agreed to by a two-thirds vote and it was so ordered.

Upon the passage of Senate Bill No. 23, as amended, the roll was called and the vote was:

Yeas—17

|         |          |         |         |
|---------|----------|---------|---------|
| Alford  | Franklin | Moore   | Sturgis |
| Baynard | Gautier  | Pearce  | Walker  |
| Carroll | Getzen   | Pope    |         |
| Crary   | Johnston | Shivers |         |
| Davis   | King     | Smith   |         |

Nays—15

|               |          |         |        |
|---------------|----------|---------|--------|
| Mr. President | Leaird   | Ray     | Tucker |
| Beall         | Lindler  | Rodgers | Wilson |
| Clarke        | Mathews  | Sanchez | Wright |
| Johns         | McArthur | Sheldon |        |

So Senate Bill No. 23 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

#### PAIRING

The following pair was announced by the Secretary in accordance with Senate Rule 12:

I am paired with Senator Shands on the passage of Senate Bill No. 23; if he were present he would vote "No" and I would vote "Aye".

LEROY COLLINS  
Eighth District.

Senator Pope moved that a committee be appointed to escort Honorable Jurant T. Shepherd, formerly Sheriff of St. Johns County, member of the House of Representatives and member of the Senate from the 31st Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Pope, Tucker and Alford as the committee.

The hour of adjournment having arrived a point of order was called and the Senate recessed at 1:24 o'clock P. M., until 2:30 o'clock P. M. this day.

#### AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock, P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names.

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Collins  | Mathews  | Shivers |
| Alford        | Davis    | McArthur | Smith   |
| Ayers         | Franklin | Moore    | Sturgis |
| Baker         | Gautier  | Pearce   | Tucker  |
| Baynard       | Getzen   | Pope     | Walker  |
| Beacham       | Johns    | Ray      | Wilson  |
| Beall         | Johnston | Rodgers  | Wright  |
| Boyle         | King     | Sanchez  |         |
| Carroll       | Leaird   | Shands   |         |
| Clarke        | Lindler  | Sheldon  |         |

—37.

A quorum present.

Senator Crary was excused from attendance upon the Session this afternoon.

By permission the following Reports of Committees were filed:

## REPORTS OF COMMITTEES

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bills:

S. B. No. 127—A bill to be entitled An Act providing for a minimum retirement allowance and disability retirement allowance for members and former members of the Teachers' Retirement System.

S. B. No. 161—A bill to be entitled An Act to amend Section 233.13 Florida Statutes, 1941, entitled "State to Furnish Textbooks in Public Schools," by providing that State shall furnish all textbooks, workbooks, and books of similar import at the expense of the State.

—and recommends that they do not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 329—A bill to be entitled An Act to create and establish the School of Medicine and Nursing at the University of Florida at Gainesville.

—and recommends that it do pass.

And the Bill contained in the preceding report was referred to the Committee on Appropriations under the original joint reference.

## ENROLLING REPORT

May 16, 1949.

Your Enrolling Clerk, to whom was referred—

H. B. No. 605

H. B. No. 634

—begs leave to report same have been signed in open session by the President and Secretary of the Senate and the Speaker and Chief Clerk of the House of Representatives, and this day presented to the Governor for his approval.

Very respectfully,  
ROBT. W. DAVIS,  
Secretary of the Senate.  
as Ex Officio Enrolling Clerk.

## SENATE BILLS ON SECOND READING

S. B. No. 229—A bill to be entitled An Act relating to Old Age Assistance, and amending Section 409.16, Florida Statutes of 1941 as amended.

Was taken up in order.

Senator Sheldon moved that the rules be waived and Senate Bill No. 229 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 229 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 229 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 229 was read the third time in full.

Upon the passage of Senate Bill No. 229 the roll was called and the vote was:

Yeas—32

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Carroll  | Lindler  | Shands  |
| Alford        | Collins  | Mathews  | Sheldon |
| Ayers         | Davis    | McArthur | Shivers |
| Baker         | Franklin | Pearce   | Smith   |
| Baynard       | Gautier  | Pope     | Sturgis |
| Beacham       | Getzen   | Ray      | Tucker  |
| Beall         | Johns    | Rodgers  | Walker  |
| Boyle         | Johnston | Sanchez  | Wright  |

Nays—1

King

So Senate Bill No. 229 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Explanation of Vote on the passage of Senate Bill No. 229 was filed with the Secretary:

## EXPLANATION OF VOTE.

I voted "no" on Senate Bill 229, for the reason that I refuse further to mislead the elderly, needy people of Florida.

I believe our first obligation is to meet the commitment we made in 1947, which provides a maximum of \$50.00 before we make a further unfulfilled promise of \$60.00 per month, which would be a harsh and cruel prank to play on the needy old folks of this State.

HARRY E. KING,  
Senator, 7th District.

16-5-49

Senator Rodgers asked unanimous consent of the Senate to take up and consider House Bill No. 304, out of its order, at this time.

Which was agreed to.

H. B. No. 304—A bill to be entitled An Act relating to Florida Council for the Blind; amending Section 409.272, Florida Statutes, 1941; providing for the operation of automatic vending machines for the benefit of needy blind persons on public property when permitted by officials in charge of such property.

Was taken up.

Senator Rodgers moved that the rules be waived and House Bill No. 304 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 304 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 304 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 304 was read the third time in full.

Upon the passage of House Bill No. 304 the roll was called and the vote was:

Yeas—33

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Clarke   | Mathews  | Smith   |
| Alford        | Collins  | McArthur | Sturgis |
| Ayers         | Davis    | Pearce   | Tucker  |
| Baker         | Franklin | Ray      | Walker  |
| Baynard       | Gautier  | Rodgers  | Wilson  |
| Beacham       | Getzen   | Sanchez  | Wright  |
| Beall         | Johns    | Shands   |         |
| Boyle         | Johnston | Sheldon  |         |
| Carroll       | Lindler  | Shivers  |         |

Nays—None

So House Bill No. 304 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Rodgers withdrew Senate Bill No. 177.

S. B. No. 228—A bill to be entitled An Act relating to Aid to the Blind and amending Section 409.17, Florida Statutes of 1941, as amended.

Was taken up in its order.

Senator Sheldon moved that the rules be waived and Senate Bill No. 228 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 228 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 228 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 228 was read the third time in full.

Upon the passage of Senate Bill No. 228 the roll was called and the vote was:

Yeas—19

|               |          |         |         |
|---------------|----------|---------|---------|
| Mr. President | Getzen   | Moore   | Sheldon |
| Alford        | Johns    | Pearce  | Tucker  |
| Ayers         | Johnston | Ray     | Walker  |
| Beacham       | Lindler  | Rodgers | Wright  |
| Beall         | Mathews  | Sanchez |         |

Nays—15

|         |          |          |         |
|---------|----------|----------|---------|
| Baker   | Collins  | King     | Shivers |
| Baynard | Davis    | McArthur | Sturgis |
| Carroll | Franklin | Pope     | Wilson  |
| Clarke  | Gautier  | Shands   |         |

So Senate Bill No. 228 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers moved that a committee be appointed to escort Honorable Joe L. Sharit, former member of the Senate from the 25th Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Shivers, Baker and Sanchez as the committee.

S. B. No. 227—A bill to be entitled An Act relating to the State Welfare Board and the processing of applications for public assistance.

Was taken up in its order and read the second time in full.

Senator Sheldon moved that the rules be waived and Senate Bill No. 227 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 227 was read the third time in full.

Upon the passage of Senate Bill No. 227 the roll was called and the vote was:

Yeas—14

|               |          |         |         |
|---------------|----------|---------|---------|
| Mr. President | Johns    | Mathews | Sheldon |
| Alford        | Johnston | Moore   | Wright  |
| Ayers         | King     | Ray     |         |
| Beall         | Lindler  | Sanchez |         |

Nays—20

|         |          |          |         |
|---------|----------|----------|---------|
| Baker   | Collins  | Leaird   | Shands  |
| Baynard | Davis    | McArthur | Shivers |
| Beacham | Franklin | Pearce   | Sturgis |
| Carroll | Gautier  | Pope     | Walker  |
| Clarke  | Getzen   | Rodgers  | Wilson  |

So Senate Bill No. 227 failed to pass.

S. B. No. 108—A bill to be entitled An Act to amend Sections 409.18, 409.19, Florida Statutes, 1941, relating to assistance for dependent children; providing assistance for dependent children; amount of assistance; hearing on application within fifteen days; appeal; repealing all laws in conflict herewith.

Was taken up in its order and read the second time in full.

Senator Sheldon offered the following amendment to Senate Bill No. 108:

In Section 1, line 3 (typewritten bill) strike out the word: "shall" and insert in lieu thereof the following "may".

Senator Sheldon moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sheldon also offered the following amendment to Senate Bill No. 108:

In Section 1, line 8 (typewritten bill) strike out the word: "shall" and insert in lieu thereof the following: "may".

Senator Sheldon moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sheldon moved that the rules be waived and Senate Bill No. 108, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 108, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 108, as amended, the roll was called and the vote was:

Yeas—5

|       |         |        |
|-------|---------|--------|
| Johns | Sheldon | Tucker |
| Moore | Smith   |        |

Nays—27

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Clarke   | King     | Shands  |
| Alford        | Collins  | Lindler  | Shivers |
| Ayers         | Davis    | McArthur | Sturgis |
| Baker         | Franklin | Pearce   | Walker  |
| Baynard       | Gautier  | Pope     | Wilson  |
| Beacham       | Getzen   | Ray      | Wright  |
| Carroll       | Johnston | Rodgers  |         |

So Senate Bill No. 108, as amended, failed to pass.

S. B. No. 211—A bill to be entitled An Act to amend Section 6 of Chapter 24086 Laws of Florida 1947 relating to the license and examination of life insurance agents by adding a Subsection 4 to Subsection C of said Section 6 to provide that no examination shall be necessary in the case of an agent limited to writing credit life and disability policies in connection with legal lending.

Was taken up in its order.

Senator Clarke moved that the rules be waived and Senate Bill No. 211 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 211 was read the second time by title only.

Senator Clarke moved that the rules be further waived and Senate Bill No. 211 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 211 was read the third time in full.

Upon the passage of Senate Bill No. 211 the roll was called and the vote was:

Yeas—30

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Clarke   | Lindler  | Shivers |
| Alford        | Collins  | McArthur | Smith   |
| Ayers         | Davis    | Moore    | Sturgis |
| Baker         | Franklin | Pearce   | Walker  |
| Baynard       | Gautier  | Pope     | Wilson  |
| Beacham       | Getzen   | Ray      | Wright  |
| Beall         | Johns    | Shands   |         |
| Carroll       | Leaird   | Sheldon  |         |

Nays—4

|          |      |         |        |
|----------|------|---------|--------|
| Johnston | King | Rodgers | Tucker |
|----------|------|---------|--------|

So Senate Bill No. 211 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Leaird moved that the rules be waived and Senate Bill No. 198 be made a Special and Continuing Order of Business for consideration by the Senate commencing at 11:45 o'clock, A. M., Tuesday, May 17, 1949.

Which was agreed to by a two-thirds vote and it was so ordered.

S. B. No. 249—A bill to be entitled An Act amending Section

1, Chapter 23775, Laws of Florida, Acts of 1947, relating to appointment of members to the State Live Stock Sanitary Board.

Was taken up in its order.

Senator Alford moved that the rules be waived and Senate Bill No. 249 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 249 was read the second time by title only.

Senator Alford offered the following amendment to Senate Bill No. 249:

In Section 1, line 7 after the word "industry", remove the comma and insert the following: "and representing, as nearly as possible, all phases of livestock production in the State of Florida."

Senator Alford moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Alford moved that the rules be further waived and Senate Bill No. 249 as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 249, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 249, as amended, the roll was called and the vote was:

Yeas—31

|               |          |          |         |
|---------------|----------|----------|---------|
| Mr. President | Clarke   | Leaird   | Shivers |
| Alford        | Collins  | Lindler  | Smith   |
| Ayers         | Davis    | McArthur | Sturgis |
| Baker         | Franklin | Pearce   | Tucker  |
| Baynard       | Gautier  | Pope     | Walker  |
| Beacham       | Johns    | Rodgers  | Wilson  |
| Beall         | Johnston | Shands   | Wright  |
| Carroll       | King     | Sheldon  |         |

Nays—None

So Senate Bill No. 249 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 4:00 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 17, 1949.